

THE HONORABLE RICARDO S. MARTINEZ

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ROBERT KENNY,

Plaintiff,

v.

PACIFIC INVESTMENT
MANAGEMENT COMPANY LLC, a
Delaware limited liability company;
PIMCO INVESTMENTS LLC,

Defendants.

No. CV 14-1987-RSM

STIPULATION AND ORDER SETTING
BRIEFING SCHEDULE FOR
DEFENDANTS' MOTION TO DISMISS

Plaintiff Robert Kenny ("Plaintiff") and defendants Pacific Investment Management Company LLC and PIMCO Investments LLC ("Defendants"), through their undersigned counsel of record, hereby stipulate and agree as follows:

On March 4, 2015, the Court granted Defendants' motion to file an over-length motion to dismiss not to exceed 36 pages "in light of the length and complexity of Plaintiff's Complaint in this action." (Dkt. # 26.) The Court further ordered that Plaintiff's opposition brief shall not exceed 36 pages, and Defendants' reply brief shall not exceed 18 pages. *Id.*

On March 6, 2015, Defendants moved to dismiss Plaintiff's complaint for failure to state a claim. (Dkt. ## 28-30). Pursuant to LCR 7(d)(3), Defendants noted the motion to dismiss for April 3, 2015. (See Dkt. # 28.)

STIPULATION AND ORDER SETTING
BRIEFING SCHEDULE
(No. CV 14-1987-RSM) – 1

Ropes & Gray LLP
Prudential Tower
800 Boylston Street
Boston, MA 02199-3600
Phone: 617.951.7000
Fax: 617.951.7050

Perkins Coie LLP
1201 Third Avenue, Suite 4900
Seattle, WA 98101-3099
Phone: 206.359.8000
Fax: 206.359.9000

On March 10 and 11, 2015, counsel for the parties conferred regarding a proposed briefing schedule on Defendants' motion to dismiss that would allow additional time for Plaintiff's opposition brief and Defendants' reply brief, in light of the complexity of the claims and additional length of the briefs permitted by the Court. The parties agreed, subject to the Court's approval, that Plaintiff's opposition brief would be due 45 days after Defendants filed the motion to dismiss, or on April 20, 2015; and that Defendants' reply brief would be due 30 days after Plaintiff's opposition brief, or on May 20, 2015.

WHEREAS, for good cause shown,

IT IS HEREBY STIPULATED by and among Plaintiff and Defendants, subject to the Court's approval, as follows:

1. Plaintiff shall file his opposition brief to Defendants' motion to dismiss by April 20, 2015 (45 days after Defendants filed their motion to dismiss); and
2. Defendants shall file their reply brief in support of their motion to dismiss by May 20, 2015 (30 days after Plaintiff files his opposition brief).

DATED this 12th day of March, 2015.

By: s/ Michael D. Woerner¹

By: s/ Tana Lin

By: s/ Laura R. Gerber

By: s/ Ian Mensher

Michael D. Woerner, WSBA No. 15452

Tana Lin, WSBA No. 35271

Laura R. Gerber, WSBA No. 34981

Ian Mensher, WSBA #39593

Keller Rohrback L.L.P.

1201 Third Avenue, Suite 3200

Seattle, WA 98101

Telephone: 206-623-1900

Facsimile: 206-623-3384

Email: mwoerner@kellerrohrback.com

tlin@kellerrohrback.com

By: s/ Ronald L. Berenstain

s/ David F. Taylor

s/ Sean C. Knowles

Ronald L. Berenstain, WSBA No. 7573

David F. Taylor, WSBA No. 25689

Sean C. Knowles, WSBA No. 39893

Perkins Coie LLP

1201 Third Avenue, Suite 4900

Seattle, WA 98101-3099

Telephone: 206-359-8000

Facsimile: 206-359-9000

Email: rberenstain@perkinscoie.com

dftaylor@perkinscoie.com

sknowles@perkinscoie.com

¹ E-signatures pursuant to email authorization to Sean Knowles dated March 12, 2015.

lgerber@kellerrohrback.com
imensher@kellerrohrback.com

Michael J. Brickman (*Admitted Pro Hac Vice*)

Richardson, Patrick, Westbrook & Brickman, LLC

174 East Bay Street
Charleston, SC 29401

Telephone: 843-727-6520

Facsimile: 843-727-3103

Email: mbrickman@rpwb.com

Nina Fields Britt (*Admitted Pro Hac Vice*)

James C. Bradley (*Admitted Pro Hac Vice*)

Matthew A. Nickles (*Admitted Pro Hac Vice*)

Richardson, Patrick, Westbrook & Brickman, LLC

1037 Chuck Dawley Boulevard, Bldg. A
Mount Pleasant, SC 29465

Telephone: 843-727-6500

Facsimile: 843-216-6509

Email: nfields@rpwb.com

jbradley@rpwb.com

mnickles@rpwb.com

Attorneys for Plaintiff

Of Counsel

John D. Donovan (*Admitted Pro Hac Vice*)

Robert A. Skinner (*Admitted Pro Hac Vice*)

Amy D. Roy (*Admitted Pro Hac Vice*)

Ropes & Gray

Prudential Tower
800 Boylston Street

Boston, MA 02199-3600

Telephone: 617-951-7000

Facsimile: 617-951-7050

Email: John.Donovan@ropesgray.com

Robert.Skinner@ropesgray.com

Amy.Roy@ropesgray.com

John C. Ertman (*Admitted Pro Hac Vice*)

Ropes & Gray

1211 Avenue of the Americas
New York, NY 10036-8704

Telephone: 212-596-9000

Facsimile: 212-596-9090

Email: John.Ertman@ropesgray.com

Attorneys for Defendants Pacific Investment
Management Company LLC and PIMCO
Investments LLC

ORDER

Pursuant to stipulation by the parties, and for good cause shown, **IT IS SO ORDERED**

this 17 day of March, 2015.



RICARDO S. MARTINEZ

UNITED STATES DISTRICT JUDGE

**STIPULATION AND ORDER SETTING
BRIEFING SCHEDULE**

(No. CV 14-1987-RSM) – 3

116471-0001/LEGAL125283862.1

Ropes & Gray LLP
Prudential Tower
800 Boylston Street
Boston, MA 02199-3600
Phone: 617.951.7000
Fax: 617.951.7050

Perkins Coie LLP
1201 Third Avenue, Suite 4900
Seattle, WA 98101-3099
Phone: 206.359.8000
Fax: 206.359.9000

Presented by:

By: s/ Ronald L. Berenstein

By: s/ David F. Taylor

By: s/ Sean C. Knowles

Ronald L. Berenstein, WSBA No. 7573

David F. Taylor, WSBA No. 25689

Sean C. Knowles, WSBA No. 39893

Perkins Coie LLP

1201 Third Avenue, Suite 4900

Seattle, WA 98101-3099

Telephone: 206-359-8000

Facsimile: 206-359-9000

Email: rberenstein@perkinscoie.com

dftaylor@perkinscoie.com

sknowles@perkinscoie.com

Of Counsel

John D. Donovan (*Admitted Pro Hac Vice*)

Robert A. Skinner (*Admitted Pro Hac Vice*)

Amy D. Roy (*Admitted Pro Hac Vice*)

Ropes & Gray

Prudential Tower

800 Boylston Street

Boston, MA 02199-3600

Telephone: 617-951-7000

Facsimile: 617-951-7050

Email: John.Donovan@ropesgray.com

Robert.Skinner@ropesgray.com

Amy.Roy@ropesgray.com

John C. Ertman (*Admitted Pro Hac Vice*)

Ropes & Gray

1211 Avenue of the Americas

New York, NY 10036-8704

Telephone: 212-596-9000

Facsimile: 212-596-9090

Email: John.Ertman@ropesgray.com

Attorneys for Defendants Pacific Investment
Management Company LLC and PIMCO Investments
LLC

STIPULATION AND ORDER SETTING
BRIEFING SCHEDULE

(No. CV 14-1987-RSM) – 4

116471-0001/LEGAL125283862.1

Ropes & Gray LLP
Prudential Tower
800 Boylston Street
Boston, MA 02199-3600
Phone: 617.951.7000
Fax: 617.951.7050

Perkins Coie LLP
1201 Third Avenue, Suite 4900
Seattle, WA 98101-3099
Phone: 206.359.8000
Fax: 206.359.9000

1
2 By: s/ Michael D. Woerner

3 By: s/ Tana Lin

4 By: s/ Laura R. Gerber

5 By: s/ Ian Mensher

6 Michael D. Woerner, WSBA No. 15452

7 Tana Lin, WSBA No. 35271

8 Laura R. Gerber, WSBA No. 34981

9 Ian Mensher, WSBA #39593

10 **Keller Rohrback L.L.P.**

11 1201 Third Avenue, Suite 3200

12 Seattle, WA 98101

13 Telephone: 206-623-1900

14 Facsimile: 206-623-3384

15 Email: mwoerner@kellerrohrback.com

16 tlin@kellerrohrback.com

17 lgerber@kellerrohrback.com

18 imensher@kellerrohrback.com

19
20
21
22 Michael J. Brickman (*Admitted Pro Hac Vice*)

23 **Richardson, Patrick, Westbrook & Brickman, LLC**

24 174 East Bay Street

25 Charleston, SC 29401

26 Telephone: 843-727-6520

27 Facsimile: 843-727-3103

28 Email: mbrickman@rpwb.com

29
30
31
32 Nina Fields Britt (*Admitted Pro Hac Vice*)

33 James C. Bradley (*Admitted Pro Hac Vice*)

34 Matthew A. Nickles (*Admitted Pro Hac Vice*)

35 **Richardson, Patrick, Westbrook & Brickman, LLC**

36 1037 Chuck Dawley Boulevard, Bldg. A

37 Mount Pleasant, SC 29465

38 Telephone: 843-727-6500

39 Facsimile: 843-216-6509

40 Email: nfields@rpwb.com

41 jbradley@rpwb.com

42 mnickles@rpwb.com

43
44
45
46
47 Attorneys for Plaintiff

48
49
50
51
STIPULATION AND ORDER SETTING
BRIEFING SCHEDULE

(No. CV 14-1987-RSM) – 5

116471-0001/LEGAL125283862.1

Ropes & Gray LLP
Prudential Tower
800 Boylston Street
Boston, MA 02199-3600
Phone: 617.951.7000
Fax: 617.951.7050

Perkins Coie LLP
1201 Third Avenue, Suite 4900
Seattle, WA 98101-3099
Phone: 206.359.8000
Fax: 206.359.9000